IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

THURSDAY, THE 12TH JULY 2007 / 21ST ASHADHA 1929

WP(C).No. 17180 of 2007(T)

PETITIONER:

SMT.SHANTI C.S., JUNIOR INSTRUCTOR (H.G)., I.T.I., PALLICKATHODE.

BY ADV. SRI.JOHN K.GEORGE
SRI.K.S.ARUN KUMAR
SMT.M.N.MAYA

RESPONDENTS:
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1. THE DIRECTOR OF TRAINING, INDUSTRIAL TRAINING DEPARTMENT, THYCAUD, THIRUVANANTHAPURAM.

2. THE JOINT DIRECTOR OF TRAINING, INDUSTRIAL TRAINING DEPARTMENT, THYCAUD, THIRUVANANTHAPURAM.

3. SMT.K.V.JALAJAKUMARI, SENIOR INSTRUCTOR, I.T.I., CHALAKUDY.

4. SMT.K.K.SARASWATHI, JUNIOR INSTRUCTOR, I.T.I., CHALAKUDY.

BY ADV. SRI.M.K.DILEEP KUMAR
GOVERNMENT PLEADER SRI. BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 12/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.BALAKRISHNAN NAIR, J.

W.P.(C)No.17180 of 2007 T

Dated this the 12th day of July, 2007.

JUDGMENT

The petitioner is a Junior Instructor (Higher Grade) working under the first respondent. The petitioner is a native of Muvattupuzha. By Ext.P1 order, she has been transferred from Chalakudy to Pallikathode, which is a very inconvenient place for her. The same has been done to accommodate the 3rd respondent, who was working in Pallikathode in the place of the petitioner, it is submitted. She points out that the 3rd respondent has completed only less than 2 years' service at Pallikathode. Therefore, her turn has not arisen for transfer. The impugned transfer order would show that the 3rd respondent has been brought back, as her transfer was effected earlier during the middle of a training. The petitioner submits, the said ground is plainly untenable and the said respondent does not have any such case. The petitioner further points out that even assuming that the 3rd respondent is liable to be accommodated at Chalakudy, the 4th respondent, who is senior in the station, should have been disturbed, it is submitted. Being aggrieved by the said transfer ordered under Ext.P1, the petitioner has preferred

Exts.P2 and P3 representations before the 1st respondent. Thereafter this writ petition is filed challenging Ext.P1 and also praying for a direction to the 1st respondent to consider and pass orders on the representations.

2. Heard learned Government Pleader for the official respondents.

The writ petition is disposed of directing the 1st respondent to consider and pass orders on the grievance of the petitioner raised in Exts.P2 and P3, in accordance with law, in the light of the transfer norms, within six weeks from the date of production of a copy oft his judgment. If respondents 3 and 4 have any objection in granting the prayer of the petitioner, they may also file individual representations before the 1st respondent, within three weeks from today, setting out their objections.

Sd/-

(K.BALAKRISHNAN NAIR)
JUDGE

sk/

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P.S. To Judge.